GPN-J-332-ARHCB-8_94-13,10,500-ALA4.
SPL.H.C.A.S.C.D. 79e.

**FARAD CONTINUATION SHEET NO.**
**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CRIMINAL APPELLATE SIDE.**
**CRIMINAL APPLICATION NO. 1160 OF 2005**

The State of Maharashtra ...Applicant

versus

Sachin Chanrakant Dhumal & ors. ...Respondent.

| Office Notes, Office Memorada orders or directions and Registrar's orders. | Court's or Judge's Orders. |
|---|---|

Mrs. U.V.Kejariwal APP for State
Shri Sagar Joshi with
S.S.Hardilar for Respondents.

**CORAM; V.G. PALSHIKAR &**
**SMT. NISHITA MHATRE, JJ.**

**DTAED; 12TH APRIL, 2005.**

**P.C.**

1. This application is directed against the order of acquittal passed by the learned trial Judge acquitting the accused of the offences under section 307 read with 34 of IPC, Bombay Police Act and Arms Act. We have scrutinised the judgment. The learned trial Judge has found that there was unexplained delay of four hours in the lodging of

the FIR. The blood stains on the clothes of P.w.2 are not explained properly. Blood staines are that of the accused who took P.w. to the hospital. It cannot therefore be said with certainty that there was any intention to cause or commit or attempt to commit murder. The acquittal, in such circumstances by giving benefit of doubt cannot be said as a perverse finding. Hence no interference is called for. Application is therefore rejected.

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